

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANGEL V. NEVAREZ,

Plaintiff,

v.

NAPA STATE HOSPITAL, et al.,

Defendants.

Case No. [23-cv-04430-HSG](#)


ORDER OF DISMISSAL

Re: Dkt. No. 13

Plaintiff has filed a pro se action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a pleading titled "Request for Dismissal," wherein Plaintiff requests that this action be dismissed. Dkt. No. 13. The Court construes this pleading as a request for voluntary dismissal pursuant to Fed. R. Civ. P. 41. Dkt. No. 13. Fed. R. Civ. P. 41(a)(1) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, and that such dismissal is without prejudice. Fed. R. Civ. P. 41(a)(1). Defendants have not yet been served in this action. Accordingly, Plaintiff's request for voluntary dismissal is GRANTED. Dkt. No. 13. This action is DISMISSED without prejudice. The Clerk shall enter judgment in favor of Defendants and against Plaintiff, and close the case.

IT IS SO ORDERED.

Dated: 8/19/2024


HAYWOOD S. GILLIAM, JR.
United States District Judge